

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

- against -

LAZARO JOSE RODRIGUEZ,

Defendant.  
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**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

**O R D E R**

06 Civ. 855 (NRB)

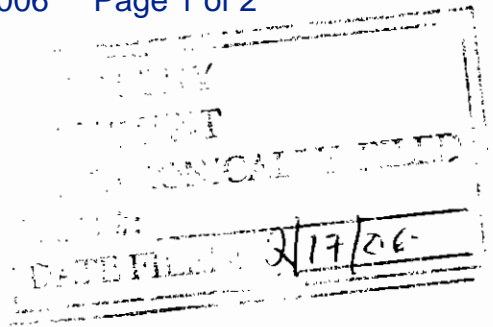
WHEREAS, the Part I Judge signed an Ex Parte Restraining Order on February 3, 2006; and

WHEREAS the defendant had been indicted on February 2, 2006 (a fact not included in the submission to the Part I Judge); and

WHEREAS the simultaneous filing of both civil and criminal cases arising out of the same events raises numerous issues, including ones arising under the Fifth Amendment and the impact of the asset freeze order on the defendant's ability to retain counsel; and

WHEREAS the detention of the defendant in Florida affects his ability to provide the relief ordered; and

WHEREAS plaintiff has requested an adjournment of the order to show cause hearing pursuant to the Restraining Order, originally scheduled for Friday, February 17, 2006 at 11:00 AM, it is hereby



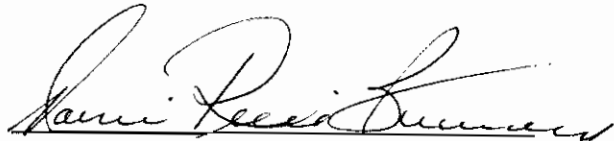
ORDERED that the plaintiff inform the judge presiding in United States v. Lazaro Jose Rodriguez, et al., Docket No. 06-20070 CR (S.D.Fla.), of the existing Restraining Order, and it is further

ORDERED that the plaintiff is directed to forthwith serve all prior papers filed in this case on defendant's criminal counsel in the Southern District of Florida case; and it is further

ORDERED that the hearing is adjourned to the 10<sup>th</sup> day of March, 2006, at 11:30 AM, Courtroom 21A, 500 Pearl Street, New York, NY 10007, unless the defendant requests an earlier hearing date, and that all the terms and provisions set forth in the Restraining Order shall remain in effect.

**SO ORDERED.**

Dated: New York, New York  
February 16, 2006

  
NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE